



LARRY HOGAN
GOVERNOR

STATE OF MARYLAND
OFFICE OF THE GOVERNOR

September 4, 2019

The Honorable Adrienne A. Jones
Speaker of the Maryland House of Delegates
H-101 State House
Annapolis, MD 21401

The Honorable Shelly Hettleman
311 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Speaker Jones and Members of the House of Delegates,

Thank you for your letter regarding compensation for wrongfully convicted individuals. The pain and indignities experienced by innocent individuals for crimes they did not commit is unimaginable, and they deserve to be justly compensated as they work to rebuild their lives.

As you know, in 2017, the General Assembly established the Task Force to Study Erroneous Conviction and Imprisonment. After more than a year of work, the Task Force published recommendations to alter the way payments are made by the Board of Public Works to individuals wrongfully convicted. During both the 2018 and 2019 legislative sessions, the General Assembly considered legislation to implement these recommendations. Regretfully, the legislature has failed to reach a consensus and remains at an impasse.

By now, it should be abundantly clear to the legislature that the Board of Public Works is not the appropriate venue to handle these cases going forward. It does not have the expertise, capacity, or personnel to make determinations as to the damages incurred for each individual's pain and suffering, including weighing factors surrounding the type of incarceration and the conditions of confinement. In addition, the Board of Public Works is not suited to determine potential needs for reintegration into society, including financial or other appropriate counseling, housing accommodations, college tuition, health care, and job training.

While the legislature has repeatedly failed to act, our administration will work with the Board to seek out an appropriate third party—such as Administrative Law Judges—that is better equipped to handle these cases and make determinations about compensation.

Our administration certainly welcomes your input as we work to advance this process. We owe it to the innocent people who wrongfully served time in prison to get this right.

Sincerely,

Larry Hogan
Governor